

**REMARKS/ARGUMENTS**


The Office Action of May 20, 2004 indicates that no priority document has been received. As stated in the Amendment filed on October 4, 2004, Applicants note that the certified copy of the priority document (Japanese Patent Application No. 2001-299942) was filed on April 22, 2002. Applicants enclose herewith again a copy of the transmittal with a certificate of transmission/ mailing, the front page of the certified copy of the priority document, and the date-stamped return postcard indicating that the certified copy of the priority document was mailed on April 22, 2002 and received by the U.S. Patent and Trademark Office on May 2, 2002. Accordingly, the foreign priority claim is perfected, and acknowledgement of the same on the patent to be issued is respectfully requested.

In addition, Applicants filed an IDS on July 7, 2004. Attached is a copy of the IDS as filed. Please initial next to the cited references on the attached form 1449A.

**CONCLUSION**

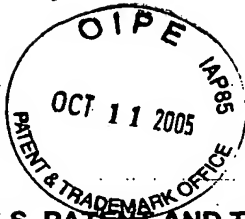
If the Examiner believes a telephone conference would expedite this application, please telephone the undersigned at 650-320-2400.

Respectfully submitted,



Chun-Pok Leung  
Reg. No. 41,405

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 415-576-0300  
Attachments  
RL:rl  
60602430 v1



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**TO THE U.S. PATENT AND TRADEMARK OFFICE:**

Please stamp the date of receipt of the following document(s), and return this card to us.

PA 3216605 v1

Title of Document: Transmittal; 2 Fee Transmittal; Supplemental ADS; Declaration/Power of Attorney; copy Notice; certified copy JP appln.; 2 Recordation Form Cover Sheet; Assignment

Date Due: April 20, 2002

Appln. No.: 10/052,626

Date Mailed: April 22, 2002

File No.: 16869N-040600

Atty/Sec.: RCC:mks

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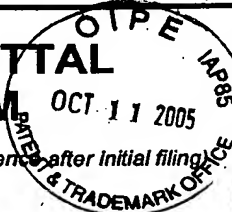
Atty/Sec.: RCC:mks

JUN 21 2002



**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)



Application Number	10/052,626
Filing Date	January 17, 2002
First Named Inventor	Matsushima, Naoki
Group Art Unit	
Examiner Name	

**COPY**

Total Number of Pages in This Submission

Attorney Docket Number 16869N-040600US

**ENCLOSURES (check all that apply)**☒ Fee Transmittal Form☐ Fee Attached☐ Amendment / Response☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☒ Certified Copy of Priority Document(s)☐ Response to Missing Parts/  
Incomplete Application☒ Response to Missing  
Parts under 37 CFR  
1.52 or 1.53☒ Assignment Papers  
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition Routing Slip (PTO/SB/69)  
and Accompanying Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s)☐ After Allowance Communication to  
Group☐ Appeal Communication to Board of  
Appeals and Interferences☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)  
(please identify below):

1. Declaration/Power of Atty

2. Copy Notice

3. Supplemental ADS

4. Return Postcard

Remarks

The Commissioner is authorized to charge any additional fees to  
Deposit Account 20-1430.Pursuant to the Notice to File Missing Parts of Nonprovisional Application, dated  
February 20, 2002, the enclosures listed on this sheet are to be made of record in the  
above-identified case.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm

and

Individual name

Townsend and Townsend and Crew LLP

Robert C. Colwell

Reg. No. 27,431

Signature

Date

April 22, 2002

**CERTIFICATE OF MAILING**I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first  
class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

April 22, 2002

Typed or printed name

Margaret K. Stephan

Signature

Date

April 22, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any  
comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark  
Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for  
Patents, Washington, DC 20231.

PA 3216586 v1

10/052,626 1686714-070600

日 本 国 特 許 庁  
JAPAN PATENT OFFICE

COPY

別紙添付の書類に記載されている事項は下記の出願書類に記載されている事項と同一であることを証明する。

This is to certify that the annexed is a true copy of the following application as filed with this Office

出 願 年 月 日

Date of Application:

2001年 9月28日

出 願 番 号

Application Number:

特願2001-299942

出 願 人

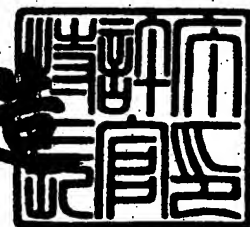
Applicant(s):

日本オブネクスト株式会社

2001年12月21日

特 許 庁 長 官  
Commissioner,  
Japan Patent Office

及 川 耕 造



**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)



Application Number	10/052,626
Filing Date	January 17, 2002
First Named Inventor	Naoki Matsushima
Art Unit	2877
Examiner Name	H. Lee
Attorney Docket Number	16869N-040600US

**COPY**

Total Number of Pages in This Submission

**ENCLOSURES** (Check all that apply)

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>USPTO form SB08A (one page), copies of two cited references, Return Postcard |
| Remarks _____  |   |   |

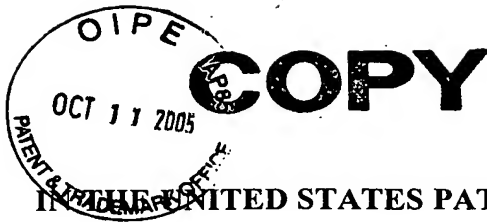
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Townsend and Townsend and Crew LLP	Reg. No. 27,431
Signature	<i>Robert C. Colwell</i>	
Date	7/6/04	

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Roger Hylton		
Signature	<i>[Signature]</i>	Date	7/7/04



PATENT  
Attorney Docket No.: 16869N-040600US  
Client Reference No.: NT0487US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Naoki Matsushima, et al.

Application No.: 10/052,626

Filed: January 17, 2002

For: OPTICAL TRANSMISSION  
MODULE

Examiner: H. Lee

Art Unit: 2877

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. Copies of the references are enclosed. The enclosed references were cited in an office action dated April 9, 2004 for the corresponding application filed in the State Intellectual Property Office of the People Republic of China, CN02107764.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

CERTIFICATION

I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

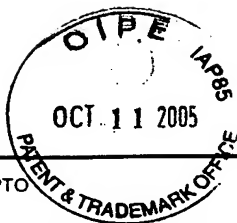
Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Robert C. Colwell  
Reg. No. 27,431

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 650-326-2422  
RCC:rnh



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PTO/SB/08A (08-03)

<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	10/052,626
		Filing Date	January 17, 2002
		First Named Inventor	Naoki Matsushima
		Art Unit	2877
		Examiner Name	H. Lee
Sheet 1 of 1	Attorney Docket Number	16869N-040600US	

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	1	US-4,919,506	04-24-1990	Covey	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	2	CN	2425366		03-28-2001	Wang Zhong		<input checked="" type="checkbox"/>

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.  
60252761 v1